



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,315	05/29/2001	Reginia Chan	O2 Micro 98.01 CON CIP	8240

7590 05/18/2004

KEVIN M. DRUCKER

Hayes, Soloway, Hennessey, Grossman & Hage, P.C.
130 W. Cushing Street
Tucson, AZ 85701

EXAMINER

PEYTON, TAMMARA R

ART UNIT

PAPER NUMBER

2182

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,315

Applicant(s)

CHAN ET AL.

Examiner

Tammara R Peyton

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 5-21, 23-29, 31-35 is/are rejected.
- 7) ☒ Claim(s) 5,22 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/31/01, 12/03/01, 11/12/02, 11/20/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-8, 10-21, 24-29, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Koo*, (US 6,006,337).

As per claim 1, 16, 17, 18, and 26, *Koo* teaches a computer subsystem comprising a system CPU, a digital-audio generating circuit, a digital computer bus coupling said CPU and said digital-audio generator circuit, and a digital computer bus controller; and a computer system adapted to play an audio CD, said computer system comprising:

a CD audio subsystem comprising an audio device capable of playing an audio CD and coupled to said digital computer bus controller, an audio amplifier circuit coupled to said audio device, and an audio interface coupled to said digital computer bus in parallel to said digital computer bus controller; said audio interface being adapted to generate signals to operate said audio device and play said audio CD when power is not being supplied to said computer subsystem.

Koo teaches a CD audio subsystem including a digital computer bus controller (23, Fig. 3) that is directly connected to compact disk drive (28) wherein the compact disk drive is connected to an audio interface (24+29) wherein the audio interface is adapted to generate signals to operate the compact disk drive and play an audio CD when power is not supplied to the CD audio subsystem. *Koo* teaches wherein the digital computer bus controller is not directly in a transmission path between the compact disk drive and the audio interface (24+29). *Koo* teaches wherein the both the digital computer bus controller and the audio interface are connected to data communication bus 21. *Koo* does not expressly teach wherein the digital bus controller (23) and the audio interface (24+29) are coupled to bus 21 in parallel, but *Koo* teaches wherein both the digital bus controller (23) and the audio interface (24+29) are connected adjacent to each other and both are coupled to the compact disk drive. It would have been obvious to one of ordinary skill at the time the invention was made that modifying the connection structure of *Koo's* devices a host of other ways would not depart from *Koo's* the inventive concept, because *Koo's* teaches adjacently connecting the digital bus controller (23) and the audio interface (24+29) to each other.

As per claims 2-4, 19-21, 24, 27, 28, and 29, *Koo* teaches wherein said audio interface comprises output control logic selectively coupling said audio interface to said digital computer bus (21) wherein commands are generated for said compact disk drive.

As per claims 6 and 31, it would have been obvious to one of ordinary skill that *Koo's* bus could be a host of other types of buses, including IDE bus, and not depart from the inventive concept. Doing so would expand and add flexibility to *Koo's* CD system.

As per claims 7 and 32, *Koo* teaches wherein said audio device is a CD-ROM drive, however, it would have been obvious to one of ordinary skill that *Koo's* system could implement other popular types of drives (DVD drive, hard drive, removable IDE media device, fixed IDE media device) and not depart from the inventive concept.

As per claims 8, 10, 11, 12, 33, and 35, *Koo* teaches wherein one more interface switches for human control (24/29) of said audio device, said switches electrically coupled to said audio interface and generating signals to said audio interface and causing said audio interface to generate control signals for operation of said audio device.

As per claims 13-15, *Koo* does not expressly wherein a power switch is adapted to deliver 5 Volt; however, *Koo* teaches supplying power to said audio device and said audio interface of said CD audio subsystem via SMPS (30). Therefore, it would have been obvious to one of ordinary skill that *Koo* teaches supplying power to the CD system and that the level of voltage supplied would depend upon the CD system specifications.

Claims 9, 23, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Koo*, (US 6,006,337) and *Chaiken et al.*, (US 6,195,713).

As per claim 9, 23, and 34, *Koo's* system does not teach the step of displaying track information about said audio CD. Nonetheless, *Chaiken's* system has the capability to display audio CD track information. It would have been obvious to one of ordinary skill at the time the invention was made to modify *Koo's* system to include the feature taught by *Chaiken*. Doing so would allow the user to be informed to the audio track currently playing.

Allowable Subject Matter

Claims 5, 22, and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if added to the rejected independent form.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (703) 306-5508. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin, can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703)

Art Unit: 2182

305-3718. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(703) 872-9306

Hand-delivered responses should be brought to:

USTPO, 2011 South Clark Place, Customer Window

Crystal Plaza Two, Lobby Room 1B03, Arlington, VA, 22202Crystal Park II, 2121.



Tammara Peyton

May 14, 2004